

PLCB Retail Licensee Seminar

August 8, 2019

Retail Licensee Seminar Agenda

10:00 a.m. – 12:00 p.m.	Panel Introduction
	PLCB Bureau of Licensing & PSP Bureau of Liquor Control Enforcement Presentation
	PSP Bureau of Liquor Control Enforcement
	PLCB Bureau of Wholesale Operations
12:00 p.m. – 12:30 p.m.	Break
12:30 p.m. – 1:00 p.m.	RAMP Presentation
1:00 p.m. – 2:00 p.m.	Q & A

Topics

Retail Liquor Licenses

License Requirements

Amendments

Permits

PLCB+

Resources



Retail Liquor Licenses

- **Restaurant (R)** – Restaurant Liquor License
 - Most common retail license type.
 - Can sell beer, wine and liquor.
 - Requires 400 square feet of serving space.
 - Food and seating for at least 30 people must be available at all times.
 - Must have a current and valid health license from issuing authority.
 - Hours are Monday – Saturday, 7:00 a.m. to 2:00 a.m.
 - Sunday hours require SS permit and are 9:00 a.m. to 2:00 a.m.
- Issued based on the quota system.



Retail Liquor Licenses

- **Eating Place (E) – Retail Dispenser**
 - Can sell beer and malt/brewed beverages only.
 - Requires 300 square feet of serving space.
 - Food and seating for at least 30 people must be available at all times.
 - Must have a current and valid health license from issuing authority.
 - Food **MUST** be prepared on the licensed premises.
 - Hours are Monday – Saturday, 7:00 a.m. to 2:00 a.m.; Sunday hours require SS permit.
 - Issued based on the quota system.
 - May be able to convert to an R license.



Retail Liquor Licenses

■ **Hotel (H) – Hotel Liquor License**

- Can sell beer, wine and liquor.
- Requires 400 square feet of serving space.
- Can serve on the licensed premises, guests can carry anywhere on the hotel property.
- Food and seating for at least 30 people must be available at all times.
- Must have a current and valid health license from issuing authority.
- Must have a separate full-time kitchen.
- Must maintain set amount of hotel rooms based on population.
- May apply for a room exemption if the license was issued prior to September 1, 1949.
- Must have hotel registration records.
- Hours are Monday – Saturday, 7:00 a.m. to 2:00 a.m.; Sunday hours require SS permit.
- Licenses NOT issued based on quota system.



- **Other Retail Licenses**

- Golf Course: (PGR), (PGE), (GE), (GR)
- Continuing Care Retirement Community: (CRR), (CRE)
- Economic Development License: (EDR), (EDE)
- Public Service License: (P), (PM)
- Brewery Pub License: (GP)
- Public Venue: (PV)
- Performing Arts: (PAF)
- Airport: (AR)



License Requirements

Bona Fide Establishment

	Minimum Size of Licensed Premises	Food & Seating Requirements	Health License Requirements	Room Requirements
Restaurant (R)	400 sq. ft.	<ul style="list-style-type: none">• Must have at least 30 seats and sufficient food* for at least 30 patrons.• 30+ seats must be immediately available and accessible by the public and may not be concealed or locked behind doors, walls, etc.• Bar stools are acceptable as seating.• Seating may not be stacked.• Must have dishes and silverware to accommodate at least 30 patrons.	Must have current and valid health license issued by the governing municipal authority.	N/A
Eating Place (E)	300 sq. ft.			Functioning kitchen or food preparation area must be on-site.
Hotel (H)	400 sq. ft.			<ul style="list-style-type: none">• Functioning kitchen or food preparation area must be on-site.• Hotel rooms must be available for transient guests, unless an exemption waiver was granted.
Distributor (D) & Importing Distributor (ID)	1,000 sq. ft. (D) 2,500 sq. ft. (ID)	N/A	N/A	Functioning bathroom must be available for employee use.



Amendments

- All changes to any issued liquor license are handled through the PLCB + system and filed online.
 - Called “amendments” to amend current license.
 - Replaces paper applications used in the past.



Amendments

- Extension of Premises

- Must be filed any time additional licensed areas are being added.
- May be temporary or permanent, but must be contiguous.
- Includes indoor or outdoor areas.
- Must have full time and exclusive right to occupy space being used.
- No other business is allowed within the extension or any other licensed area without prior board approval.
- Full investigation will be conducted including verification of finances, and property ownership verification.
- **30-day posting required** for all extension requests.
 - PLCB-1296 placard **MUST** be posted a minimum of 30 days up until final approval.
 - Placard must be at or near the main entrance and clearly visible to the passing public.
 - Placard cannot be posted prior to application being submitted.
 - Notice to public allows for protests or petition to intervene.



Amendments

- Extension of Premises
 - For sidewalk café extensions, written approval by the municipality is required.
 - Sidewalk café limited to table service only.
 - Must maintain at least two tables.
 - No bar can be setup within this area.
 - Cannot block entrances to other establishments.
 - R licenses may apply for a secondary service area (non-contiguous).
 - Minimum of one acre of land required.
 - Cannot cross a public thoroughfare.
 - Must have a structure with three sides and a roof with at least 175 square feet.
 - Must have adequate seating.



Amendments

■ Manager Changes

- Required to notify the PLCB within 15 days of a proposed manager change.
- Only one person may be appointed at any one time.
- Manager is required to devote full time and attention to the licensed business.
- PLCB must approve the new manager, nothing is required from the outgoing manager.
- Full investigation will be conducted including background check and interview.
- Supplement employment requires a Dual Employment Affidavit, subject to approval.
- RAMP owner/manager training required within 180 days.



Amendments

- Change of Business Structure
 - Required to notify the PLCB within 15 days if the change involves more than 10% of outstanding voting stock or a change in the controlling interest.
 - 30-day posting is required if it is a majority change.
 - Corporation – Addition or deletion of an officer, director and/or stockholder.
 - LLC – Change in membership.
 - LP – Change in partnership.



Amendments

■ Safekeeping

- Required if the licensed establishment is not in operation for 15 consecutive days.
- Period not to exceed two consecutive years.
- Must continue to renew and validate the license.
- PLCB may revoke the license after two years if the license is not transferred, reissued or extended in safekeeping.
- Reissue from safekeeping amendment must be filed to activate license.
 - Investigation required if more than 90 days, or involved changes made to the premises.
- Must be filed at least 30 days in advance of requested opening date.



Permits

- **Wine Expanded Permit (WEP)** – Authorizes the sale of up to three liters of wine for off-premise consumption.
 - Available to restaurant and hotel licensees.
 - Requires RAMP certification.
 - \$2,000 application fee and an annual renewal fee of 2% off-premises consumption sales.
- **Off-Premises Catering Permit (OPCP)** – Allows eligible entities to sell alcohol at a catered function.
 - Apply by March 1; schedule the function at least seven days prior to the event.
 - Limited to 52 per calendar year.
 - No longer than five hours and must end by midnight.
 - Cannot be self-sponsored.
 - Servers must be RAMP server/seller trained.
 - Requires prior notification to LCE and local police.
 - \$500 per year.



Permits

- **Sunday Sales Permit (SS)** – \$300 – Allows hours alcohol may be sold on Sunday.
 - Retail licensees – 9:00 a.m. to 2:00 a.m.
 - WEP permittees – 9:00 a.m. to 11:00 p.m.
 - AR licensees – 5:00 a.m. to 2:00 a.m.
 - E licensees – 11:00 a.m. to 2:00 a.m. or 9:00 a.m. to 2:00 a.m. with food.
- **Extended Hours Food (EHF)** – \$50 – Allows the licensee to remain open between 2:00 a.m. to 7:00 a.m. for the purpose of serving food and non-alcoholic beverages, and allows for entertainment.
- **Amusement Permit (AP)** – 1/5 of annual license fee – Permits dancing by patrons, floor shows, theatrics, and movies.



- How to Request an Amendment
 - ✓ Log into your PLCB+ account:



Login to your account:

Email:

Password:

[Forgot password?](#)

Login

Need an account? [Register here](#)



✓ Click on Other License Changes/Amendments:

Main Menu

[Need Help?](#)

Please read the entire menu before making your selections.

[Make this my home page](#)

To add a licensee to your account, please go to "My Profile" and scroll to the bottom of the page where you can add your access code. Please contact the PLCB help desk at 1-844-707-5475 or email ra-iblicensingmod@pa.gov if you need an access code.

If you are attempting to renew or validate an existing license and it does not show or appear on the bottom right corner of this page, please do not apply for a new license. Please contact the PLCB help desk at 1-844-707-5475 or email ra-iblicensingmod@pa.gov for help with renewing or validating your license.

NEW APPLICATIONS

- [Apply for a New License](#)
- [Apply for a Special Permit](#)
(Special Occasions, Wine Auction Permits, not for use by Limited Winery Licensees or Catering Events)

EXISTING LICENSES

- [Transfer a License to a new Owner](#)
(New Owner or New Owner with a New Location)
- [Add a Permit](#)
(Amusement Permit, Off Premises Catering Permit, Extended Hours Food, Farmer's Market, Wine Expanded Permit, Sunday Sales)
- [Apply for Events / Functions](#)
(Off Premises Catering Events or Exposition Permits(G, AG, AL, LK))
- [Other License Changes / Amendments](#)
(Report Approval Locations, Change of Manager or Officers, Exchange (C/CC, D/ID, E/R), Extension of Premises, Extension of / Surrender or Release from Safekeeping, Misc Inquiries, Place to Place Transfers, Supplemental Storage)

BRAND REGISTRATION

- [Apply for / Manage / Renew Brands](#)

OTHER

- [Search for Licenses](#)
- [Search for Registered Brands](#)
- [File a Protest or Petition to Intervene](#)
- [Submit Report](#)
(Submit monthly, quarterly, or yearly reports for your license if required)



- ✓ Renewals and Validations:
 - Automatically appears on your profile page
 - All payments made through credit card

MY APPROVED LICENSES						
See below for a list of your approved Liquor licenses.						
LID #	License Number	License Type	Licensee / Premises	Effective	Expires	Status
  		Distributor (Malt)		Oct 1, 2017	Sep 30, 2018	Active
Permits / Secondary Licenses						
Sunday Sales Permit						
  		Club (Liquor)		Sep 1, 2017	Aug 31, 2018	Active



✓ How to Add a Permit:

EXISTING LICENSES

- ➡ [Transfer a License to a new Owner](#)
(New Owner or New Owner with a New Location)
- ➡ [Add a Permit](#)
(Amusement Permit, Off Premises Catering Permit, Extended Hours Food, Farmer's Market, Wine Expanded Permit, Sunday Sales)
- ➡ [Apply for Events / Functions](#)
(Off Premises Catering Events or Exposition Permits(G, AG, AL, LK))
- ➡ [Other License Changes / Amendments](#)
(Board Approved Locations, Change of Manager or Officers, Exchange (C/CC, D/ID, E/R), Extension of Premises, Extension of / Surrender or Release from Safekeeping, Misc Inquiries, Place to Place Transfers, Supplemental Storage)

OTHER

- ➡ [Search for Licenses](#)
- ➡ [Search for Registered Brands](#)
- ➡ [File a Protest or Petition to Intervene](#)
- ➡ [Submit Report](#)
(Submit monthly, quarterly, or yearly reports for your license if required)

- All permits can be added at once



✓ How to Search for a Registered Brand

NEW APPLICATIONS

- ➔ [Apply for a New License](#)
- ➔ [Apply for a Special Permit](#)
(Special Occasions, Wine Auction Permits, not for use by Limited Winery Licensees or Catering Events)

EXISTING LICENSES

- ➔ [Transfer a License to a new Owner](#)
(New Owner or New Owner with a New Location)
- ➔ [Add a Permit](#)
(Amusement Permit, Off Premises Catering Permit, Extended Hours Food, Farmer's Market, Wine Expanded Permit, Sunday Sales)
- ➔ [Apply for Events / Functions](#)
(Off Premises Catering Events or Exposition Permits(G, AG, AL, LK))
- ➔ [Other License Changes / Amendments](#)
(Board Approved Locations, Change of Manager or Officers, Exchange(C/CC, D/ID, E/R), Extension of Premises, Extension of / Surrender or Release from Safekeeping, Misc Inquiries, Place to Place Transfers, Supplemental Storage)

BRAND REGISTRATION

- ➔ [Apply for / Manage / Renew Brands](#)

OTHER

- ➔ [Search for Licenses](#)
- ➔ [Search for Registered Brands](#)
- ➔ [File a Protest or Petition to Intervene](#)
- ➔ [Notify the PLCB of a bad check](#)
- ➔ [Submit Report](#)
(Submit monthly, quarterly, or yearly reports for your license if required)

Search for Registered Brands

Use the search below to find brands that have been registered with the PLCB. Enter as much information as you know, and press the "Search" button.

Name of Brand:

Manufacturer / Franchisee:

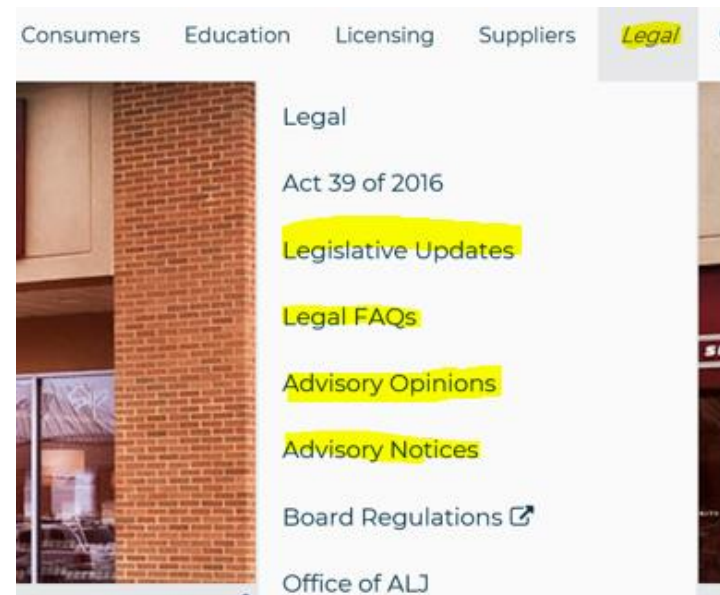
Search



Resources

- Trouble filing anything online?
 - Call 844.707.5475
 - Email RA-LBLICENSINGMOD@pa.gov
- Status check after filed?
 - Call 717.783.8250
 - Email RA-LBLICENSING@pa.gov
- Contact information is provided on the reference card in your bag.
- Resource materials will be published online in the near future – monitor your email for details.

- Resources
 - lcb.pa.gov → Legal
 - FAQs
 - Advisory Opinions
 - Advisory Notices
 - Legislative Update



Pennsylvania State Police – Bureau of Liquor Control Enforcement



Bureau of Liquor Control Enforcement

PREVENTING COMMON LIQUOR CODE VIOLATIONS

Presented
by

Enforcement Supervisor
Todd Merlina



Pennsylvania State Police – Bureau of Liquor Control Enforcement

- Sales to Minors
- Sales to Visibly Intoxicated Patrons
- Sales After Hours
- Happy Hour Violations
- Loudspeakers
- Noisy and disorderly
- Nuisance/Non-Renewal
- Failure to appoint a manager
- Manager not committing full time and attention
- Failure to obtain/maintain RAMP certification
- Failure to maintain records for two years
- Not a Bona Fide

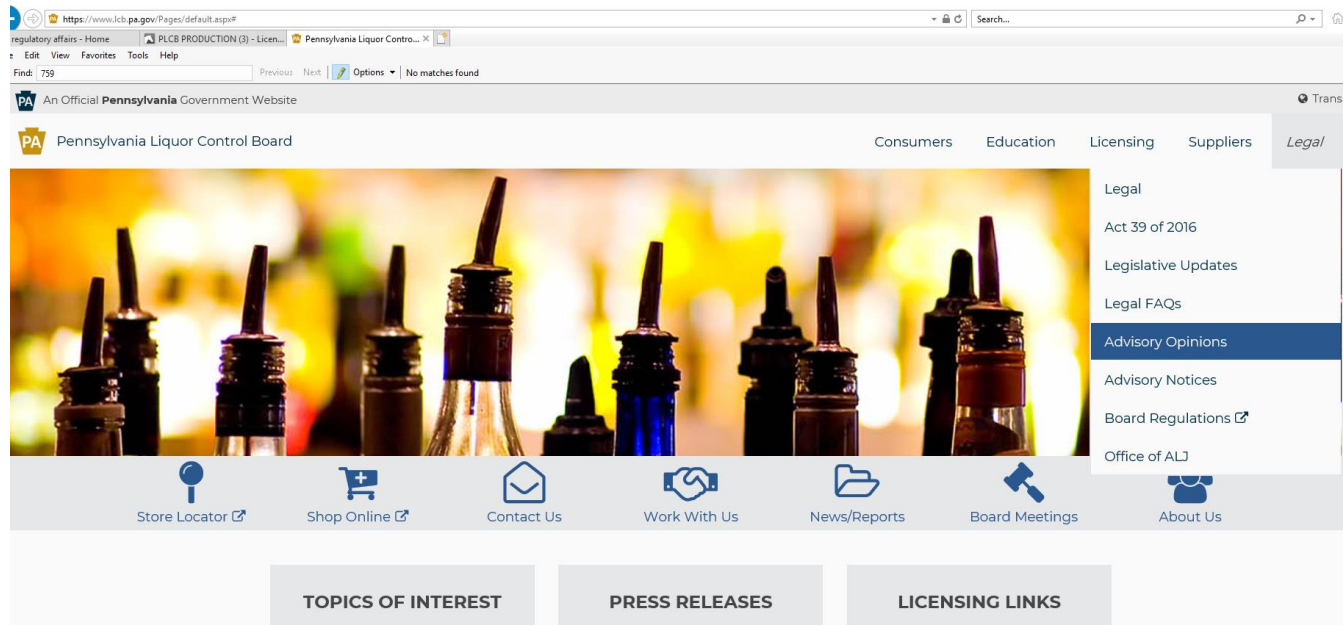


Your first line of defense **shall**
be RAMP training for all
employees



Pennsylvania State Police – Bureau of Liquor Control Enforcement

You have one of the greatest legal
resources available
Advisory Opinions



Pennsylvania State Police – Bureau of Liquor Control Enforcement

Happy Hours



* If you have trouble opening a document, try right-clicking on the title and choose 'Open in new Tab' or 'Open in new Window'.

Relevance ▼

Brewery Pricing Questions

ISSUE: This office is in receipt of your e-mail dated May 27, 2017, wherein you indicate you ... pricing practices, nor are they subject to the Liquor Code's **happy hour** restrictions ...

[collab.pa.gov/lcb/Extranet/Advisory Opinions/17-313.pdf](http://collab.pa.gov/lcb/Extranet/Advisory%20Opinions/17-313.pdf)

Happy Hour Questions

Re: **Happy Hour** Questions ... Code § 13.102(a)(4). Notice of all **happy hours** must be posted on the licensed premises seven days prior to each **happy hour** ...

[collab.pa.gov/lcb/Extranet/Advisory Opinions/18-330.pdf](http://collab.pa.gov/lcb/Extranet/Advisory%20Opinions/18-330.pdf)

Happy Hour Clarification

Re: **Happy Hour** Clarification ... Code § 13.102(a)(4)]. Notice of all **happy hours** must be posted on the licensed premises seven (7) days prior to each **happy hour** ...

[collab.pa.gov/lcb/Extranet/Advisory Opinions/15-147.pdf](http://collab.pa.gov/lcb/Extranet/Advisory%20Opinions/15-147.pdf)

Happy Hour

RE: **Happy Hour** ... for you to make a change in your **happy hour** pricing and apply a **happy hour** discount to the same brand of beer that is ...

[collab.pa.gov/lcb/Extranet/Advisory Opinions/16-177.pdf](http://collab.pa.gov/lcb/Extranet/Advisory%20Opinions/16-177.pdf)

Clarification of Bottle Service

Please be advised that a notice of all **happy hours** must be posted on the licensed premises seven (7) days prior to each **happy hour** ...

[collab.pa.gov/lcb/Extranet/Advisory Opinions/14-473.pdf](http://collab.pa.gov/lcb/Extranet/Advisory%20Opinions/14-473.pdf)

Daily Drink Specials

Code § 13.102(a)(4). Notice of all **happy hours** must be posted on the licensed premises seven days prior to each **happy hour** ...

[collab.pa.gov/lcb/Extranet/Advisory Opinions/19-163.pdf](http://collab.pa.gov/lcb/Extranet/Advisory%20Opinions/19-163.pdf)



Pennsylvania State Police – Bureau of Liquor Control Enforcement



Sales to Minors



SIGNIFICANT INVESTIGATIVE ACTIONS

LCE Officers along with officers from a local Police Department and members of the University's Security Department conducted an open inspection for minors at BM Bar for allegations of sales of alcohol to minors and minors using false ids to purchase alcohol.

As a result, **84 minors were cited for underage drinking** and **69 minors were cited for possessing false identifications**.

Criminal charges were filed against the two doormen, two bartenders and the corporate officer for furnishing/sales of alcohol to minors. In addition the licensee was cited Administrative.



AGE COMPLIANCE PROGRAM SUMMARY

Overall Totals: 14 years

Checks Conducted: 17,000+

Non-Compliant: 35%

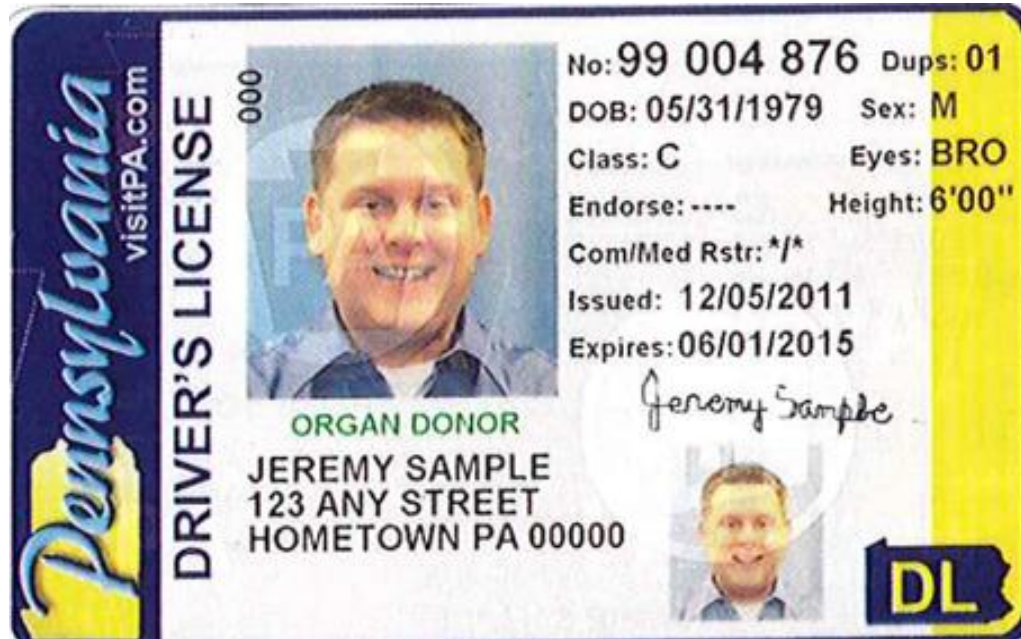
Non-Compliant after presenting a Drivers License:
19%

Since the change in the Drivers License the Non-Compliant rate after
showing a valid license continues to go up?

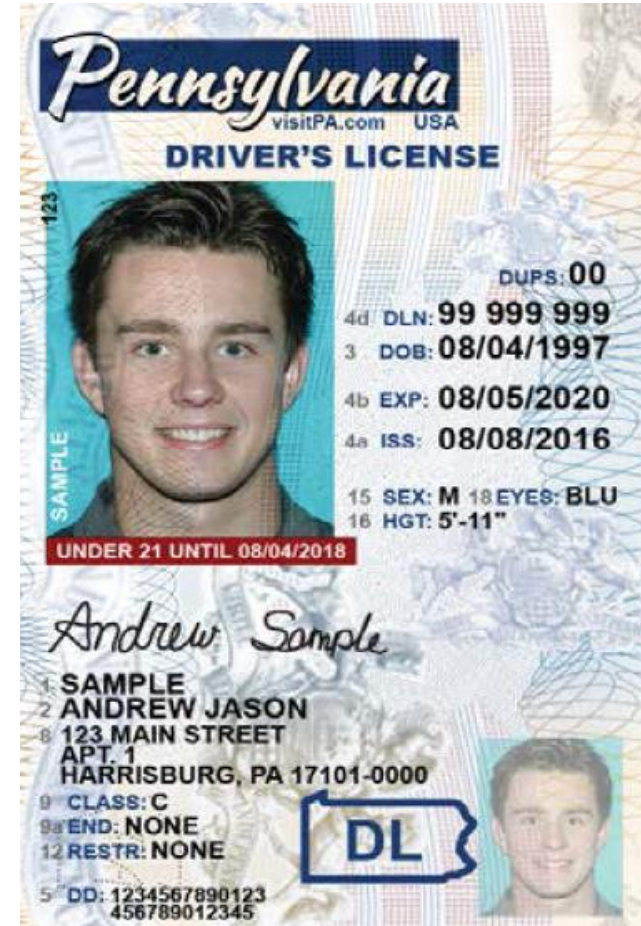
YTD in 2019 it is up to 60%



Pennsylvania State Police – Bureau of Liquor Control Enforcement



Pennsylvania State Police – Bureau of Liquor Control Enforcement



Sales to Visibly Intoxicated Patrons



SIGNS OF INTOXICATION

- APPEARANCE
- SPEECH
- ATTITUDE
- BEHAVIOR
- OTHER



Appearance

- Bloodshot, glassy or watery eyes
- Flushed face
- Droopy eyelids
- Blank stare or dazed look
- Twitching or body tremors
- Disheveled clothing



Speech

- Thick, slurred speech
- Loud, noisy speech
- Speaking loudly, then quietly
- Rambling train of thought
- Unusually fast or slow talking
- Slow response to questions or comments
- Repetitive statements
- Bravado, boasting
- Making irrational statements



Attitude

- Annoying other guests and employees
- Argumentative
- Aggressive or belligerent
- Obnoxious or mean
- Inappropriate sexual advances
- Overly friendly to other guests or employees
- Boisterous



Behavior

- Swaying, staggering or stumbling
- Unable to sit straight
- Careless with money
- Difficulty making change
- Restless
- Depressed or sullen
- Crying or moody
- Extreme or sudden change in behavior



Other

- Grinding teeth
- Vomiting
- Odor of alcohol, marijuana or chemicals
- Excessive perspiration
- Repeated trips to rest room



INTOXICATION

If a person shows just one or two of these signs that does not necessarily mean the person is intoxicated but should put servers on **alert**.

But if a person shows a combination of several signs, or has a sudden change in behavior, that could be a strong indication that the person is intoxicated.



Sales After Hours



Restaurant liquor licensees are permitted to sell alcoholic beverages between the hours of 7:00 a.m. of any weekday and 2:00 a.m. of the following day. [47 P.S. § 4-406(a)(2)].



Sunday Sales Hours

Section 406(a)(3) has been amended allowing most classes of liquor license holders which also hold a Sunday sales permit to open from 9:00 a.m. until 2:00 a.m.

The provision requiring licensees to offer food between 9:00 a.m. and 11:00 a.m. in order to be open during those hours has been removed. Note that this still does not apply to E licensees [432(f)].



Extended Hours Food (EHF)

A restaurant liquor licensee may remain open during those hours it would normally be closed, i.e., 2:00 a.m. until 7:00 a.m. or 9:00 a.m. on Sundays, **for the purpose of serving food**, if the licensee obtains an extended hours food permit. [47 P.S. § 4-499(b)]. This privilege does not extend the hours of sale for alcoholic beverages; nor does it preclude or replace the Sunday sales permit.



CLUBS

Club liquor licensees may be open for the sale of liquor and malt or brewed beverages daily from 7:00 a.m. until 3:00 a.m. the following day. The Board may issue to a club an extended hours food permit (“EHF”), which would allow a club to remain open during those hours it would normally be closed, i.e., 3:00 a.m. until 7:00 a.m., for six **(6) days during the term of its license**. [47 P.S. § 4-499(b.1)(emphasis added)]. Thus, patrons must vacate a club’s premises by 3:30 a.m., unless it is one (1) of the six (6) days for which a club may hold EHF.



VIOLATIONS

**SOLD, FURNISHED AND/OR
GAVE LIQUOR AND/OR MALT OR
BREWED BEVERAGES
BETWEEN AFTER HOURS
(BETWEEN 2:00 OR 3:00 A.M.
AND 7:00 A.M.)**



VIOLATIONS

**PERMITTED PATRONS TO POSSESS
AND/OR REMOVE LIQUOR OR MALT
OR BREWED BEVERAGES FROM
THAT PART OF THE PREMISES
HABITUALLY USED FOR THE
SERVICE OF LIQUOR OR MALT OR
BREWED BEVERAGES AFTER (2:30
A.M./3:30 A.M.)**



VIOLATIONS

FAILED TO REQUIRE PATRONS TO
VACATE THAT PART OF THE PREMISES
HABITUALLY USED FOR THE SERVICE
OF LIQUOR OR MALT OR BREWED
BEVERAGES **NOT LATER THAN ONE-
HALF HOUR AFTER THE REQUIRED
TIME** FOR THE CESSATION OF THE
SERVICE OF LIQUOR OR MALT OR
BREWED BEVERAGES.



Happy Hour Violations



Pennsylvania State Police – Bureau of Liquor Control Enforcement

$$2_{\text{(hours)}} \times 7_{\text{(days)}} = 14_{\text{(total hours)}}$$

A retail licensee is permitted to discount **any and all alcoholic beverages** for a period of time **not to exceed four (4) consecutive or non-consecutive hours**, and not to exceed fourteen (14) hours per week.

The hours may be fixed, subject to the above noted limitations, in any manner a licensee desires; however, **during a happy hour, the price of alcoholic beverages may not change**. [40 Pa. Code § 13.102(a)(4)]. Notice of all happy hours must be posted on the licensed premises seven (7) days prior to each happy hour. [47 P.S. § 4-406(g)].

No discount pricing may occur between 12:00 a.m. (midnight) and the legal closing hour.

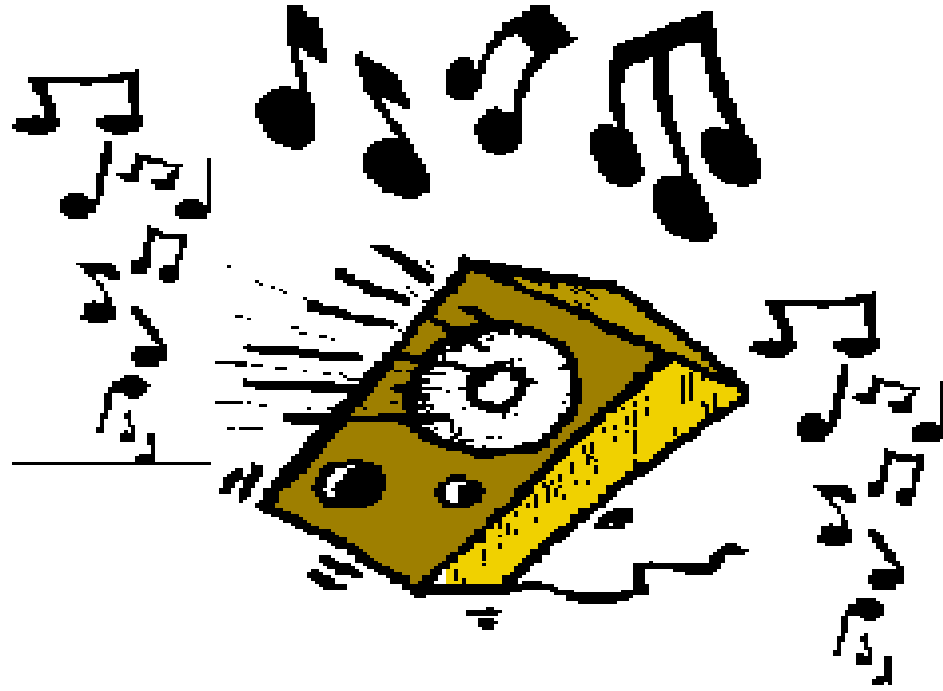


Daily Drink Specials

In addition to Happy Hour Specials - A retail licensee is permitted to offer **one (1) specific type of alcoholic beverage at a discounted price all day, or for a portion of the day**, if it chooses. [40 Pa. Code § 13.102(b)(2)]. A specific type of alcoholic beverage means either a specific registered brand of malt or brewed beverages, a type of wine, a type of distilled spirits or a mixed drink. [Id.]. The following are **examples** of permissible daily beer specials: a specific brand of beer such as **“Blue Hound Pilsner”** or **“Brendan’s Cream Stout”** or “Oil City Light,” but not “all draft” or “all bottled” beer or “all Blue Hound products.” Daily wine specials could be **“Chardonnay”** or **“Merlot,”** but not “all white wine” or “all red wine” or “all Kendall’s wines.” Permissible spirits specials would be **“Rum and Cola”** or **“all brandy drinks,”** but not “all well drinks” or “all Jackson’s products.” [See Board Advisory Notice No. 16 (Amended)].



Loudspeakers



Section 493(34) of the Liquor Code provides that a licensee may not use or permit to be used inside or outside of the premises a loudspeaker or similar device whereby the sound of music or other entertainment, or the advertisement thereof, can be heard beyond the licensee's property line.



Noisy and Disorderly



LCE works in cooperation with the local police.

Criteria:

- How do the activities of the establishment affect the neighborhood around it?
- Is the activity continuous and current?



Non-Renewal



LCE works in cooperation with the local police and the PLCB.

The PLCB Nuisance Bar / Non-Renewal Program differs from the BLCE Nuisance Bar Program in that the PLCB utilizes a non-renewal process, causing the licensee to forfeit their ability to operate as a licensed establishment.



Criteria

First tier cases involve a licensee who has been declared by the courts to be a **common nuisance** pursuant to the Liquor Code, 47 P.S. § 611.

Second tier cases involve those licensees with three **(3) or more citations** meeting established criteria within the **past 24 months** which could adversely impact public welfare, peace and morals.

Third tier cases involve those licensees with less than three (3) citations within the past 24 months which **could adversely impact public welfare, peace and morals.**



Nuisance



This is what we hope for,

“After speaking with several parties within the community we have decided to close our doors until an overhaul of proper liquor practices can be identified and established going forward. We appreciate the communities business and concerns and hold each of your suggestions in high regard. We hope to serve the public in a more responsible fashion in the near future”.



Failure to appoint a manager
and
Manager not committing full
time and attention



VIOLATIONS

- FAILED TO **APPOINT** A FULL-TIME MANAGER FOR THE LICENSED PREMISES.
- MANAGER FAILED TO **DEVOTE FULL TIME** AND ATTENTION TO THE OPERATION OF THE LICENSED BUSINESS. **(Min. of 35 hours)**
- THE MANAGER OF YOUR LICENSED PREMISES WAS EMPLOYED BY OR ENGAGED IN ANOTHER BUSINESS WITHOUT BOARD APPROVAL.



VIOLATIONS (cont.)

- FAILED TO NOTIFY THE BOARD WITHIN FIFTEEN (15) DAYS OF A **CHANGE OF MANAGER**
- FAILED TO NOTIFY THE BOARD WITHIN THIRTY (30) DAYS OF ENTERING INTO, MODIFYING OR TERMINATING A **MANAGEMENT CONTRACT**



RAMP Server / Seller Training



Sections 102 & 471(h) have been amended requiring ALL alcohol service personnel to complete RAMP server/seller training **within six months** of being hired by a licensee, unless the person had successfully completed said training prior to being hired.



This applies to anyone
hired after 8/8/16.



RAMP Server / Seller Training

“Alcohol service personnel” is defined as any employee of a licensee such as a bartender, waiter or, in the case of a distributor or importing distributor, a salesperson whose primary responsibility includes the resale, furnishing or serving of liquor or malt or brewed beverages. It also means any employee, such as a doorperson, whose primary responsibility is to ascertain the age of individuals who are attempting to enter the licensed premises.



RECORDS



Pennsylvania State Police – Bureau of Liquor Control Enforcement

The records from the most recent six-month period must be maintained on the licensed premises. Records for the remainder of the two-year period may be kept off the licensed premises so long as the records are returned to the licensed premises within twenty-four hours of a request by the board or enforcement bureau. A licensee may remove the records for the most recent six-month period from the licensed premises only for a lawful business purpose provided that they are returned to the premises when that business is completed.

[47 P.S. § 4-493(12).]



VIOLATIONS:

- FAILED TO KEEP RECORDS **ON THE LICENSED PREMISES.**
- FAILED TO MAINTAIN COMPLETE AND TRUTHFUL RECORDS COVERING THE OPERATION OF THE LICENSED BUSINESS **FOR A PERIOD OF TWO (2) YEARS** IMMEDIATELY PRECEDING (Date).
- FAILED TO MAINTAIN **RECORDS IN CONFORMITY** WITH THE PROVISIONS OF THE LIQUOR CODE AND TITLE 40 OF THE PENNSYLVANIA CODE. 47:493(12) R/H/E/C 40:5.32(e)(9) (Pertaining to contest records)



NOT A BONA FIDE



YOUR LICENSED PREMISES WAS
NOT A BONA FIDE RESTAURANT IN
THAT YOU, BY YOUR SERVANTS,
AGENTS OR EMPLOYEES,
MAINTAINED INSUFFICIENT (FOOD
ITEMS, EATING UTENSILS, DISHES,
SEATING) AND/OR FAILED TO
PROVIDE FOOD UPON REQUEST.



Section 102 of the Liquor Code
defines a “RESTAURANT” as follows:

a reputable place operated by responsible persons of good reputation and **habitually and principally used for the purpose of providing food for the public**, the place to have an area within a building of not less than four hundred square feet, equipped with tables and chairs, including bar seats, accommodating at least thirty persons at one time.



Pennsylvania State Police – Bureau of Liquor Control Enforcement

Section 102 of the Liquor Code defines a “HOTEL” as follows:

‘HOTEL’ shall mean any reputable place operated by responsible persons of good reputation where the public may, for a consideration, obtain sleeping accommodations and meals and which, in a city, has at least ten, and in any other place at least six, permanent bedrooms for the use of guests, a public dining room or rooms operated by the same management accommodating at least thirty persons at one time, and **a kitchen, apart from the public dining room or rooms, in which food is regularly prepared for the public.**



Section 102 of the Liquor Code
defines a “EATING PLACE” as follows:

“Eating place” shall mean a premise where food is regularly and customarily prepared and sold, having a total area of not less than three hundred square feet available to the public in one or more rooms, other than living quarters, and equipped with tables and chairs, including bar seats, accommodating thirty persons at one time. The board shall, by regulation, set forth what constitutes tables and chairs sufficient to accommodate thirty persons at one time.



“The Ever-changing Alcohol Industry in Pa.”



Pennsylvania State Police – Bureau of Liquor Control Enforcement

Pennsylvania beer distributors sell alcoholic slushies to go but are they legal?

Updated May 17, 2018; Posted May 17, 2018



Some beer distributors in Pennsylvania including Breski Beverage in Swatara Township now sell alcoholic beer slushies. (Sue Gleiter, PennLive)



Pennsylvania State Police – Bureau of Liquor Control Enforcement



Pennsylvania State Police – Bureau of Liquor Control Enforcement



Pennsylvania State Police – Bureau of Liquor Control Enforcement



Pennsylvania State Police – Bureau of Liquor Control Enforcement

Liquor Knowledge Test

1. Is it legal for a minor, an individual under 21 years of age, to be on a licensed premises if they are not consuming alcohol?
2. Is a Birth Certificate considered a valid form of identification as proof of age in a licensed establishment or PLCB store?
3. Can a bartender continue to serve alcohol to an individual who appears to be “visibly intoxicated” if they are not driving?
4. Can a minor be cited for CC6308, Purchase, Consumption, Possession or Transportation of Alcoholic Beverages if he/she is turned away by the server?



Pennsylvania State Police – Bureau of Liquor Control Enforcement

5. Can patrons remain on a licensed premises after the legal closing time if alcohol is not being served?
6. Is it a violation if amplified music can be heard beyond a licensed establishments property if no one is disturbed?
7. Can entertainers/dancers be totally naked when performing in a licensed premises?
8. Is a licensed establishment permitted to conduct “Ladies Night” where the required cover charge is waived for female patrons?



Pennsylvania State Police – Bureau of Liquor Control Enforcement

9. Can Happy Hour at a licensed establishment be held for four consecutive hours from 9:00 p.m. until 1:00 a.m.?
10. Is it illegal for a bartender to drink on duty?
11. Is it legal for an individual or organization that does not possess a liquor license to charge a fee to enter an event that includes all the food, alcohol and entertainment?
12. Is it legal for individuals to bet \$ based on the outcome of a football game.



Bureau of Wholesale Operations Topics

Business Development

LOOP

Wholesale Operations

- Act as the primary business operations point of contact for licensees
- Assist licensees with:
 - Assortment and demand planning
 - Promotional and sales planning
 - Product education
 - LOOP enrollment and usage
 - General PLCB policies and procedures
 - Recommendations and guidance on best methods of replenishment (LDP, LSC, FW&GS Stores)



Licensee Engagement

- Focus on the needs of retail licensees
- Help licensees navigate through the purchasing process
- Provide assistance on product assortment and acquisition
- Supply information on purchasing avenues/alternatives
- Licensee Service Center
 - Statewide placement for licensee-only items
- Support and inform on the value of LOOP

Contact Information – Escalation Points

Team	Phone	Email
Business Development	800-332-7522, option 5	Ra-lbwholesale@pa.gov
LOOP Customer Support	800-332-7522, option 5	PLCBLOOP@pa.gov

Name	Role	Phone	Email
Daniel Lorditch	LOOP Customer Service Supervisor	717-787-9543	dlorditch@pa.gov
Bryan Kelleher	Dir. of Business Development	717-265-8431	bkelleher@pa.gov
Doug Hitz	Dir. of Wholesale Operations	717-787-7963	dhitz@pa.gov

Benefits of Using LOOP

- Easy to Access
 - 24/7 access to orders
 - Simple self-registration
 - Tablet friendly
- Easy to Use
 - Ability to view items on sale for the current month and next month
 - Unit pricing for both regular and sale prices
 - Ability to register credit card(s) and or ACH payment methods

Benefits of Using LOOP

- Easy to Track

- Personalized homepage with the licensee's order history
- Email confirmations and notifications
- Ability to maintain user roles

- Reporting

- Identify seasonal purchasing trends and most popular selling items
- Manipulate data to identify purchasing trends on a weekly basis
- Two-year invoice history

▶ LOOP Support Contact Information

Team	Phone	Email
LOOP Customer Support	800-332-7522, option 5	PLCBLOOP@pa.gov
Daniel Lorditch	717-787-9543	dlorditch@pa.gov
Hours of Operations: Monday through Friday 8:00 a.m. to 5:00 p.m.		

Break



Topics

RAMP Certification

RAMP and PLCB+

Mandated Licensed Establishments

Mandated RAMP Components

▶ Responsible Alcohol Management Program Certification

What is RAMP Certification?

- RAMP is a voluntary certification that applies to the licensed establishment.
- Consists of five components – owner/manager training, server/seller training, new employee orientation, signage and request for RAMP certification.
- Licensee must complete all five components for the establishment to become RAMP-certified. Certification is valid for two years, providing the licensee remains in compliance with all components.
- Licensees may also be mandated to complete the program.

RAMP Certification – The Five Parts:

1. Owner/Manager Training
2. Server/Seller Training
3. New Employee Orientation
4. Signage
5. Request for RAMP Certification

RAMP certification is granted to the licensed premises upon successful completion of all five required components. Completing either the owner/manager or server/seller training alone does not grant certification to the establishment or the person completing the training.

Login or register for a PLCB+ account.

- Each individual (server, bartender, manager, lead) must have their own personal account for RAMP training.
- Licensees should have a general business account to manage their license and apply for RAMP certification.



Login to your account:

Email:

Password:

[Forgot password?](#)

Login

Need an account? [Register here](#)

Online Application for RAMP Certification

Once logged into the licensee account, click on RAMP and then the Owner/Manager tab. If you do not have an Owner/Manager tab, you must contact RAMP (866-275-8237) and request the premises manager access code.

- Click on the My Profile tab and enter the access code at the bottom of the screen.

Once you click on the Owner/Manager tab you should see a list of all of the licenses you own or can manage. From the Owner/Manager tab you can manage your staff roster and apply for RAMP certification.




Online Application for RAMP Certification

Managing Your Staff Roster

Select the Manage Staff/Roster link for the premises you wish to manage.

MY PREMISES

See below for a list of your approved Liquor licenses

LID # (License Type)	Licensee	Premises		Certification Status	Certification Expiration	Certification Application Status
 [Redacted]	Limited Winery)	[Redacted]	Manage Staff/Roster	Certified Aug 31, 2016	Aug 31, 2018	Apply for Certification

Online Application for RAMP Certification

Managing Your Staff Roster

You must list all members of your alcohol service staff.

Add and remove staff members as necessary.

Click on the employee's name to update staff employment information.

Below is a list of individuals who have been trained under your LID. Your staff roster must include the names of all current staff, including any owners and managers who serve alcohol or check identification regardless if they have been trained. Please review your roster and add and remove staff as necessary. This roster should be updated and maintained and kept in the same manner in which you keep other business records.

STAFF ROSTER


							
Name	Hire Date	New Employee Orientation Date	Roster Activation Date	Owner/Manager Date Trained	Server/Seller Date Trained	Separation Date	
Betty White			Feb 7, 2017	mmm dd, yyyy	Feb 7, 2017	mmm dd, yyyy	
Tom Cruise	Oct 20, 1999	Feb 7, 2017	Feb 7, 2017	mmm dd, yyyy	Feb 7, 2017	mmm dd, yyyy	

Online Application for RAMP Certification

Apply for RAMP Certification

MY PREMISES

See below for a list of your approved Liquor licenses

LID # (License Type)	Licensee	Premises		Certification Status	Certification Expiration	Certification Application Status
 [Redacted]	(Limited Winery)	[Redacted]	Manage Staff/Roster	Certified Aug 31, 2016	Aug 31, 2018	Apply for Certification

After successful submission of the RAMP certification application you will be presented with a confirmation page that summarizes the application details. Your application has now been sent to the PLCB to process.

You will see the details of the application under **My Certification Applications Under Review** until it is fully processed by the PLCB.

Once the application is approved, you can print your RAMP certificate found under **My Approved Certification Applications**.

Maintaining Compliance of RAMP Certification

Once the establishment is RAMP-certified:

- If the owner or manager who completed owner/manager training changes, the new owner or manager has 60 days to complete training.
- If server/seller trained individuals falls below 50%, additional individuals must be trained within 60 days.
- New Employee Orientation Forms must be completed by all new hires within 30 days of being hired.
- Maintain posting of VIP and minor signs at all times.
- Add/delete employees to the Alcohol Service Staff Roster.

When is a licensee required to complete all five RAMP components?

- When ordered by an Administrative Law Judge (ALJ) for being found guilty of one of the following Liquor Code violations:
 - Service to minors
 - Service to Visibly Intoxicated Patrons
- As part of a conditional licensing agreement (CLA) Licensee must maintain compliance.
- Prior to obtaining a wine expanded permit (licensee must maintain compliance).

Mandated RAMP Training Components

When are RAMP training components required, without being mandated to become RAMP-certified?

Owner/Manager Training:

- Act 113 of 2011 requires newly approved managers of certain license types to complete this training within 180 days of approval by the PLCB. (effective 2-20-12)

Mandated RAMP-Components

When are RAMP training components required, without being mandated to become RAMP-certified?

Server/Seller Training:

- For all staff serving alcohol at an off-premises catering event.
- For all cashiers selling wine at an establishment with a wine expanded permit.
- For all new alcohol service personnel hired on/after 8-8-16 who are not RAMP server/seller trained must be trained w/in six months of being hired and be re-trained before their current training expires.
- For all new alcohol service personnel hired on/after 8-8-16 who are already RAMP server/seller trained must be re-trained before their current training expires.
- For all employees hired before 8-8-16 who are not RAMP server/seller trained, but transfer into an alcohol service position on/after 8-8-16, need to be trained w/in six months of assuming their new duties.

Register for Training in PLCB+

Each individual (server, bartender, manager, lead) must have their own personal account for RAMP training.



LICENSING **R.A.M.P.** GRANTS ALC. ED. MATERIALS MY PROFILE SIGN OUT

R.A.M.P.

Student

EDUCATION

- ➡ [Register for a Course](#)
(Search for and register for Education course offerings)
- ➡ [My Rosters](#)
(View and manage which rosters you appear on)

To Review.....

A licensed establishment must complete all five components to become RAMP-certified.

1. Owner/Manager Training
2. Server/Seller Training
3. New Employee Orientation
4. Signage
5. Request for RAMP Certification

Pennsylvania Liquor Control Board & PSP Bureau of Liquor Control Enforcement

Q & A

